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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/888,212	06/22/2001	Kwok Hung Si	20880-05629	8404
758	7590	05/05/2005	EXAMINER	
FENWICK & WEST LLP SILICON VALLEY CENTER 801 CALIFORNIA STREET MOUNTAIN VIEW, CA 94041			KANG, PAUL H	
			ART UNIT	PAPER NUMBER
			2141	

DATE MAILED: 05/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/888,212

Applicant(s)

SI ET AL.

Examiner

Paul H. Kang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 January 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 5-37 is/are allowed.
- 6) ☐ Claim(s) 2-4 and 38-40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 1/18/05.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. Examiner Sajid Yussf is no longer assigned to the present patent application. This application is now assigned to Examiner Paul H. Kang. In examining this patent application, full faith and credit has been given to the search and action of the previous examiner. MPEP § 719.05.
2. Claim 1 has been cancelled. Newly added claims 2-40 are now pending.

Allowable Subject Matter

3. Claims 5-37 are allowed.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
2. Claims 2-4 and 38-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 5,260,703 to Nguyen et al., in view of US Patent Application No. 2003/0110344 A1 to Szczepanek et al.
3. As to claim 38, Nguyen teaches the invention substantially as claimed. Nguyen teaches a method of communicating data in a data network according to a protocol using a universal programmable serializer/deserializer, the method comprising the steps of:

providing a set of program signals to the universal programmable serializer/deserializer indicating a set of protocol specific functions required to communicate using the protocol (the serializer/deserializer is provided with a default protocol function in order to communicate; Nguyen, col. 3, line 54 – col. 4, line 38);

determining whether data is being received by the universal programmable serializer/deserializer; receiving a receive data interrupt from the universal programmable serializer/deserializer; and in response to receiving the receive data interrupt reading data into a processor (Nguyen, col. 5, lines 10-30).

However, Nguyen does not explicitly teach determining the protocol from the set of protocols to be implemented for communicating in the data network. In the same field of endeavor, Szczepanek teaches a communications system having multiple protocol handlers comprising a system for determining the protocol from the set of protocols to be implemented for communicating in the data network (Szczepanek, ¶¶ 0004-0007 and 0008-0013).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have incorporated the multiple protocol system of Szczepanek into the data encoding/decoding system of Nguyen for the purpose of increasing the versatility and flexibility of the communications systems over multiple communications platforms.

4. As to claims 2-4 and 39-40, Nguyen-Szczepanek teaches a protocol translation system for protocol conversion between networks operating under different communication protocols, the protocol translation system comprising: a first universal serializer/deserializer for receiving data from a first network operating under a first protocol and for implementing the first protocol to

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remove protocol specific information to output a data payload, the first serializer/deserializer configured to receive a first set of program signals indicating a first set of requirements of the first protocol (Nguyen, col. 5, lines 10-30; Szczepanek, ¶¶ 0004-0013 and 0254-0269); and

a second universal programmable serializer/deserializer coupled to the first serializer/deserializer for receiving the payload data from the first and for transmitting to a second network operating under a second protocol and for implementing the second protocol to introduce protocol specific information to the data payload, the second serializer/deserializer configured to receive a second set of program signals indicating a second set of requirements of the second protocol (Nguyen, col. 5, lines 10-30; Szczepanek, ¶¶ 0004-0013 and 0254-0269); and further comprising USB and 10-baseT protocols.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul H. Kang whose telephone number is (571) 272-3882. The examiner can normally be reached on 9 hour flex. First Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on (571) 272-3880. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.


PAUL H. KANG
PRIMARY PATENT EXAMINER

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).